

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

DONNA K. SOUTTER and
TONY LEE WEBB,
on behalf of themselves and those similarly situated
Plaintiffs,

v.

CIVIL ACTION NO. 3:09cv695

EQUIFAX INFORMATION SERVICES, LLC,

Defendant.

**PLAINTIFF, DONNA K. SOUTTER'S ANSWERS TO DEFENDANT, EQUIFAX
INFORMATION SERVICES, LLC. FIRST SET OF INTERROGATORIES**

TO: DEFENDANT, EQUIFAX INFORMATION SERVICES, LLC.

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, the Plaintiff, Donna K. Soutter, hereby propounds the following Answers upon the defendant Equifax Information Services, LLC.:

INTERROGATORY NO. 1: List all communications that you have had with EIS in the last five years and, for each, state the date of the communication, whether it was by telephone, mail, the internet or some other means, and the nature and substance of the communication.

ANSWER:

APRIL 11, 2008 (First Dispute) – Letter to Equifax (sent certified mail & received by Equifax on May 20, 2008) – disputed the reporting of the judgment. Explained that the judgment was entered against me by Virginia Credit Union in error. Enclosed a copy of the order of the court showing that the judgment was set aside.

MAY 23, 2008 (Equifax's Response) – Equifax stated that they contacted each source directly and their investigation is now completed. Result – The disputed judgment account number gv07-034182 is currently not reporting on your credit file.

DECEMBER 26, 2008 (Second Dispute) – Letter to Equifax (sent certified mail & received by Equifax on May 20, 2008) – Once again enclosed a copy of the Order that



was entered on 3/28/08 in the City of Richmond General District Court. "The Order clearly state that a judgment that was entered against me by Virginia Credit Union is a clerical error. I have been denied credit because this is shown on my credit history. I need this judgment removed from my credit history immediately." Also enclosed a copy of all credit denials which showed the reason that I was denied credit was because of the collection/judgment reporting.

DECEMBER 30, 2008 (Equifax's Response) - Equifax stated that they contacted each source directly and their investigation is now completed. Result - The disputed judgment account number gv07-034182 is currently not reporting on your credit file.

INTERROGATORY NO. 2: State the exact date that you learned that a judgment in favor of Virginia Credit Union was being reported on your EIS credit file as described in paragraph 10 of your First Amended Class Complaint.

ANSWER:

I do not recall the "exact" date. It was sometime around the date that I received a copy of the Court documents (approximately March, 2008).

INTERROGATORY NO. 3: State whether you ever communicated with Virginia Credit Union concerning the judgment that you reference in paragraph 10 of your First Amended Class Complaint and, if so, the date of each such communication, whether the communication was by telephone, mail, the Internet or some other source, and the nature and substance of each communication.

ANSWER:

Yes, I spoke with a gentlemen (R. David Oakes) directly in charge of the collections department and he had the attorney (Archie Berkeley, Jr.) for Virginia Credit Union call me. We spoke about the possible impact this would have on my future. I do not recall the exact dates.

INTERROGATORY NO. 4: State whether you ever communicated with the Richmond

INTERROGATORY NO. 11: Describe in detail all damages you have sustained as a result of any action or inaction by EIS at any time since January 1, 2003. Your response should include an explanation of the basis for each item of damage claimed, the dates that each alleged damage occurred, the amounts of each alleged damage incurred, and any calculations used to arrive at those amounts.

ANSWER:

Plaintiff has been denied credit based on the inaccurate information reporting within her credit file. She incorporates her Rule 26(a)(1) disclosures as her claim for damages.

INTERROGATORY NO. 12: List your employment history for the last 10 years including names of employers, job titles, job duties and salary or rate of pay.

ANSWER:

2010 - Self-employed as Court Reporter.

2009 – 2010 - \$12.35/hour – Culpeper Regional Hospital.

1988- 2003 – 15 years- Virginia State Police. Became ill and had to leave career due to decline in health.

INTERROGATORY NO. 13: State whether you have ever been convicted of any crimes and, if so, state the dates, the jurisdictions, the crimes and the disposition.

ANSWER:

None other than small traffic offenses.